

By: Huffman, et al.

S.B. No. 292

A BILL TO BE ENTITLED

AN ACT

relating to the creation of a grant program to reduce recidivism,
arrest, and incarceration of individuals with mental illness.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter B, Chapter 531, Government Code, is
amended by adding Section 531.0993 to read as follows:

Sec. 531.0993. GRANT PROGRAM TO REDUCE RECIDIVISM, ARREST,
AND INCARCERATION AMONG INDIVIDUALS WITH MENTAL ILLNESS AND TO
REDUCE WAIT TIME FOR FORENSIC COMMITMENT. (a) For purposes of
this section, "low-income household" means a household with a total
income at or below 200 percent of the federal poverty guideline.

(b) Using money appropriated to the commission for that
purpose, each state fiscal year the commission shall make grants to
county-based community collaboratives for the purposes of
reducing:

(1) recidivism by, the frequency of arrests of, and
incarceration of persons with mental illness; and

(2) the total waiting time for forensic commitment of
persons with mental illness to a state hospital.

(c) A community collaborative is eligible to receive a grant
under this section only if the collaborative includes a county, a
local mental health authority that operates in the county, and each
hospital district, if any, located in the county. A community
collaborative may include other local entities designated by the

1 collaborative's members.

2 (d) The commission shall condition each grant provided to a
3 community collaborative under this section on the collaborative
4 submitting a plan described by Subsection (i) and providing
5 matching funds from nonstate sources in a total amount at least
6 equal to the grant amount. To raise matching funds, a collaborative
7 may seek and receive gifts, grants, or donations from any person.

8 (e) Not later than the 30th day of each fiscal year, the
9 commission shall make available to a community collaborative
10 established in the most populous county in this state a grant in an
11 amount equal to the lesser of:

12 (1) the amount previously appropriated to the
13 Department of State Health Services each fiscal year to implement a
14 mental health jail diversion pilot program in that county; or

15 (2) the collaborative's available matching funds.

16 (f) The commission shall estimate the number of persons with
17 serious mental illness in low-income households located in each of
18 the 20 most populous counties in this state. For the purposes of
19 distributing grants under this section to community collaboratives
20 established in the 19 counties other than the most populous county,
21 for each fiscal year the commission shall determine an amount of
22 grant money available on a per person basis by dividing the amount
23 of the grant made available under Subsection (e) by the estimated
24 total number of persons with serious mental illness in low-income
25 households located in the most populous county.

26 (g) Not later than the 60th day of each fiscal year, the
27 commission shall make available to a community collaborative

1 established in each of the 19 most populous counties in this state
2 other than the most populous county a grant in an amount equal to
3 the lesser of:

4 (1) an amount determined by multiplying the per person
5 amount determined under Subsection (f) by the estimated number of
6 cases of serious mental illness in low-income households in that
7 county; or

8 (2) an amount equal to the collaborative's available
9 matching funds.

10 (h) To the extent appropriated money remains available to
11 the commission for that purpose after the commission makes grants
12 available under Subsections (e) and (g), the commission shall make
13 available to community collaboratives established in other
14 counties in this state grants through a competitive request for
15 proposal process. For purposes of awarding a grant under this
16 subsection, a collaborative may include adjacent counties if, for
17 each member county, the collaborative's members include a local
18 mental health authority that operates in the county and each
19 hospital district, if any, located in the county. The commission
20 shall condition a grant under this subsection on the collaborative
21 submitting a plan described by Subsection (i).

22 (i) Not later than the 30th day of each fiscal year, the
23 community collaboratives established in each of the 20 most
24 populous counties in this state shall submit to the commission a
25 plan that:

26 (1) is endorsed by each of the collaborative's member
27 entities;

- 1 (2) identifies a target population;
2 (3) describes how the grant money and matching funds
3 will be used;
4 (4) includes outcome measures to evaluate the success
5 of the plan; and
6 (5) describes how the success of the plan in
7 accordance with the outcome measures would further the state's
8 interest in the grant program's purposes.
9 (j) Acceptable uses for the grant money and matching funds
10 include:
11 (1) the continuation of a mental health jail diversion
12 program;
13 (2) the establishment or expansion of a mental health
14 jail diversion program;
15 (3) the establishment of alternatives to competency
16 restoration in a state hospital, including outpatient competency
17 restoration, inpatient competency restoration in a setting other
18 than a state hospital, or jail-based competency restoration;
19 (4) the provision of assertive community treatment or
20 forensic assertive community treatment with an outreach component;
21 (5) the provision of intensive mental health services
22 and substance abuse treatment not readily available in the county;
23 (6) the provision of continuity of care services for
24 an individual being released from a state hospital;
25 (7) the establishment of interdisciplinary rapid
26 response teams to reduce law enforcement's involvement with mental
27 health emergencies; and

1 (8) the provision of local community hospital, crisis,
2 respite, or residential beds.

3 (k) Not later than December 31 following the end of the
4 fiscal year for which the commission distributes a grant under this
5 section, each community collaborative that receives a grant shall
6 prepare and submit a report describing the effect of the grant money
7 and matching funds in achieving the standard defined by the outcome
8 measures in the plan submitted under Subsection (h) or (i).

9 (l) The commission may make inspections of the operation and
10 provision of mental health services provided by a community
11 collaborative to ensure state money appropriated for the grant
12 program is used effectively.

13 SECTION 2. This Act takes effect September 1, 2017.